



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/014,097

12/11/2001

Lisa Miller Schwartz

SCH0104PUS

5089

7590

02/04/2005

Paul M. Schwartz
Schwartz & Schwartz, P.L.C.
Suite 200
29623 Northwestern Highway
Southfield, MI 48034

EXAMINER

NGUYEN, TRONG NHAN P

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/014,097	SCHWARTZ, LISA MILLER	
	Examiner	Art Unit	
	Jack P Nguyen	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-29 are being examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Armstrong, 6,356,633 (Armstrong hereafter).

As per claim 1, Armstrong teaches a communications system (105, fig. 1) including at least one message server operative to receive and store messages for retrieval (115, fig. 2A, col. 4, lines 55-60; email processing system receives and processes email messages), each message having a sender address and a recipient address (col. 5, line 15-16; email messages include fields such as sender address (represented by 'From' field), recipient address (represented by 'To' field), etc.), an automated method to reply to a sender (col. 2, lines 11-14), comprising: storing a reply message to a message sent having a selected recipient address and at least one sender address (145, fig. 2A, col. 5, line 12; pre-defined responses database stores pre-defined reply files for automatic transmission to the recipients); storing a reply file for the reply message (145, fig. 2A, col. 5, line 12); and automatically forwarding the reply

Art Unit: 2152

message and reply file to the sender (col. 7, lines 62-67; email processing system automatically transmits reply files (extracted from pre-defined responses database) to the recipient).

Claim 2 is rejected for similar reasons as claim 1 addressed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-29 rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong in view of Chen, 6,836,792 (Chen hereafter).

Claim 11 recites similar limitations as claim 1; therefore, it is rejected for similar reasons as claim 1 addressed above. Armstrong further teaches automated response system (fig. 2A) is programmable to generate auto responses according to sender-specified criteria; i.e., the auto responses can be crafted to reflect the content of the sender's email message (col. 8, lines 3-8 & 15-17). However, Armstrong does not explicitly disclose storing and sending an attachment (with an Internet link) with the reply to the recipient. In an analogous art to the claimed invention, Chen discloses an email messaging system (130, fig. 2) having an auto-reply feature that allows the system to automatically respond to incoming messages sent by the sender (102, fig. 2) to the intended recipient (106, fig. 2) (col. 2, lines 66 – col. 3, lines 3). Chen further

Art Unit: 2152

discloses upon receiving an email message from the sender (102, fig. 2), the email messaging system automatically inserts an attachment (170, fig. 2) to the message then forwards the message to the intended recipient (106, fig. 2) (col. 2, lines 51-55; col. 9, lines 18-22; the attachment can be an advertisement where an add banner (Internet link) can direct the user to the promoted products or services). Hence, it would have been obvious to one of ordinary skill in the art to combine the teachings of Armstrong and Chen because it would have allowed the system to attach any files (Internet link, graphic file, video clip, etc.) to the messages as desired as disclosed by Chen in [col. 8, lines 23-26].

Claims 12, 14, 17, 18, 21, and 25 recite similar limitations to claims 1 and 11; therefore, they are rejected for similar reasons as claims 1 and 11 addressed above.

As per claims 3, 23 and 27, Armstrong does not explicitly disclose the reply message and reply file are forwarded to the sender at an address different from that identified in the message. However, it is well known in the art an user often has multiple addresses that he often uses and that the reply address can be different from the sending address; for example, the user may be supporting multiple departments and has an account for each department in his user profile. The user can log into any of his accounts to retrieve messages from. Hence, it would have been obvious to one of ordinary skill in the art to send a message using multiple addresses to a user so the user can access the message from any one of his user accounts.

Claims 4-10, 13, 15, 19, 22, 24, 26 and 28-29 are rejected for similar reasons as claims 1 and 11 addressed above.

Art Unit: 2152

As per claims 16 and 20, Armstrong teaches the predetermined criteria is selected from the group consisting of date, time, day of week, number of e-mail messages sent to the recipient, number of e-mail messages sent to the recipient by the sender, the date the recipient last retrieved e-mail, the time the recipient last retrieved e-mail, the date the recipient last received e-mail from the sender, and the date the recipient last sent e-mail to the sender (135, fig. 2A, col. 5, lines 14-18; Pre-defined Keyword Database stores plurality of criteria (date/time created, To, From, date/time sent, etc.) that the email system uses to process email messages.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Schneider et al, 6,408,336; Montville et al, 6,356,937; Kreynin et al, 6,067,570 ; Costales, 6,044,395 ; Mulligan et al, 5,937,161 ; Anthias et al, 5,856,978 ; Ayyadurai, 6,718,368 ; Ohgushi et al, 6,760,753

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (571) 272-3945. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2152

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn

A handwritten signature in black ink, appearing to be 'Dung C. Dinh', with a long horizontal stroke extending to the right.

Dung C. Dinh
Primary Examiner